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| 09/291,066 | 04/14/1999 | MASAHITO NIIKAWA | 032567-009 | 1637 |

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| EXAMINER |
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HANNETT, JAMES M

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| ART UNIT | PAPER NUMBER |
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2612

DATE MAILED: 01/02/2004

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Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/291,066

Applicant(s)

NIIKAWA, MASAHIITO

Examiner

James M Hannett

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-18 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-18 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 14 April 1999 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. §§ 119 and 120

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 13) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.
- a) ☐ The translation of the foreign language provisional application has been received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) ____.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). ____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

Response to Arguments

Applicant's arguments filed 9/29/2003 have been fully considered but they are not persuasive. As for the argument that the prior art does not teach the use of an interface for connecting the photographing apparatus as a peripheral device to a processor that forms a node on a network. The examiner notes that the photographing apparatus is viewed as the camera CCD connected to the computer, which acts as the control circuitry for the camera head. This combination forms a camera system, which is connected to a network and can communicate with remote computers on the network. The camera system is viewed as a peripheral device for the other computers on the network. The other computers on the network inherently include processors. Furthermore, these computers form nodes on the network. Therefore, the camera system acts as a peripheral device to the processors which help form the computers which form nodes on the network.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

1: Claims 1-18 rejected under 35 U.S.C. 103(a) as being unpatentable over USPN 6,141,052 Fukumitsu et al.

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2: As for Claim 1, Fukumitsu et al teaches the use of a photographing apparatus connectable to a network to which several image processing apparatuses are connected via cables or by wireless; Column 4, Lines 50-55. Because Fukumitsu et al can transmit images to remote computers on a network it is inherent that it include an interface for connecting the photographing apparatus to a network. Fukumitsu et al teaches in Column 5, Lines 9-16 the use of a liquid crystal display (LCD screen) for displaying images and other information. Fukumitsu et al teaches in Column 1, Lines 57-67 the use of an operation unit that controls the operation of the photographing apparatus and interchanges data through the communications interface and a communications network, therefore allowing data taken by the camera to be processed on the network. The examiner is viewing the photographing apparatus as the camera connected to a computer. This system is connected to other computers over a network. Because this system is a remote system that is connected to other computers on the network, it is viewed by the examiner that the photographing apparatus is connected as a peripheral device to a processor that forms a node on the network. The processor is viewed as a processor in one of the computers on the network.

However, Fukumitsu et al does not teach that the photographing apparatus has a display screen for displaying a network structure.

Official notice is taken that it was well know in the art at the time the invention was made for computer systems to have software that showed the network hierarchical structure and allows a user to drag file to different computers or printers on the network in order to transfer them to the different computers on the network. Such a program was Microsoft windows network explorer.

3: In regards to Claim 2, Fukumitsu et al teaches that the photographing apparatus can transmit images to others and that the PC's on the network can display the images on a monitor. Furthermore, Fukumitsu et al teaches on Column 4, Lines 45-55 that the personal computers can have a hard disk drive to store the image data. It is inherent in the process of sending image data over a network to a PC to be displayed on a monitor that the image data be stored in a memory on the remote PC.

4: In regards to Claim 3, Fukumitsu et al teaches on Column 4, Lines 44-49 that the photographing apparatus is capable of causing a printer connected to the network to print out the image data taken by the digital camera.

5: As for Claim 4, Fukumitsu et al teaches the use of a photographing apparatus connectable to a network to which several image processing apparatuses are connected via cables or by wireless; Column 4, Lines 50-55. Because Fukumitsu et al can transmit images to remote computers on a network it is inherent that it include an interface for connecting the photographing apparatus to a network. Fukumitsu et al teaches in Column 5, Lines 9-16 the use of a liquid crystal display (LCD screen) for displaying images and other information. Fukumitsu et al teaches in Column 1, Lines 57-67 the use of an operation unit that controls the operation of the photographing apparatus and interchanges data through the communications interface and a communications network, therefore allowing data taken by the camera to be processed on the network. The operation unit controls all the operations of the personal computers with the cameras connected to them. Fukumitsu et al teaches that the images captured from one camera can be transmitted over a network to another PC. This process of displaying the data on a remote PC is viewed as executing a program stored on the computers connected to the network, because

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in order for a computer to display image data on a monitor stored programs need to be executed.

The examiner is viewing the photographing apparatus as the camera connected to a computer.

This system is connected to other computers over a network. Because this system is a remote system that is connected to other computers on the network, it is viewed by the examiner that the photographing apparatus is connected as a peripheral device to a processor that forms a node on the network. The processor is viewed as a processor in one of the computers on the network.

However, Fukumitsu et al does not teach that the photographing apparatus has a display screen for displaying a network structure.

Official notice is taken that it was well know in the art at the time the invention was made for computer systems to have software that showed the network hierarchical structure and allows a user to drag file to different computers or printers on the network in order to transfer them to the different computers on the network. Such a program was Microsoft windows network explorer.

6: As for Claim 5, Fukumitsu et al teaches that the computers can record the image data onto a hard drive. Fukumitsu et al further teaches that the computer has a communications ability to send data to a remote PC over a network.

Official notice is taken that it was wall known in the art at the time the invention was made for computers to have E-Mail software that allowed a user to attach image files and send them Via E-Mail to a remote user on a network. This program is advantageous because it allows a user to easily send messages and files to remote users.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to include an E-Mail programs on the computers of Fukumitsu et al in order to allow it to easily send messages and image files to remote users.

7: In regards to Claim 6, Claim 6 is rejected for reasons discussed related to Claim 1, Since Claim 1 is substantively equivalent to Claim 6.

8: In regards to Claim 7, Claim 7 is rejected for reasons discussed related to Claim 2, Since Claim 2 is substantively equivalent to Claim 7.

9: As for Claim 8, Claim 8 is rejected for reasons discussed related to Claim 3, Since Claim 3 is substantively equivalent to Claim 8.

10: As for Claim 9, Claim 9 is rejected for reasons discussed related to Claim 4, Since Claim 4 is substantively equivalent to Claim 9.

11: In regards to Claim 10, Claim 10 is rejected for reasons discussed related to Claim 5, Since Claim 5 is substantively equivalent to Claim 10.

12: As for Claim 11, Fukumitsu et al teaches the use of a photographing apparatus connectable to a network to which several image processing apparatuses are connected; Column 4, Lines 50-55. Because Fukumitsu et al can transmit images to remote computers on a network it is inherent that it include an interface for connecting the photographing apparatus to a network. Fukumitsu et al teaches in Column 5, Lines 9-16 the use of a liquid crystal display (LCD screen) for displaying images and other information. This system is connected to other computers over a network. Because this system is a remote system that is connected to other computers on the network, it is viewed by the examiner that the photographing apparatus is connected as a

peripheral device to a processor that forms a node on the network. The processor is viewed as a processor in one of the computers on the network.

However, Fukumitsu et al does not teach that the photographing apparatus has a display screen for displaying a network structure.

Official notice is taken that it was well known in the art at the time the invention was made for computer systems to have software that showed the network hierarchical structure and allows a user to drag file to different computers or printers on the network in order to transfer them to the different computers on the network. Such a program was Microsoft windows network explorer.

13: In regards to Claim 12, Fukumitsu et al teaches on Column 1, Lines 57-67 the use of an operation unit that controls the operation of the photographing apparatus and interchanges data through the communications interface and a communications network, therefore allowing data taken by the camera to be processed on the network. The examiner is viewing the photographing apparatus as the camera connected to a computer.

14: As for Claim 13, Official notice is taken that when implementing the network browsing software as discussed above, the display will substantially mimic a screen display of one of the data processing devices when the photographing apparatus is connected to the network, because the network browsing software is run on all the computers on the network. Furthermore, the network structure shown by the computer with the camera attached would be the same network hierarchy shown in another computer connected to the network.

15: In regards to Claim 14, The network as taught above has at least one of the data processing devices is an image processing apparatus; computers with cameras connected to them

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are viewed as image processing devices. Furthermore, because computers on the network are able to process the incoming image data the computers are viewed as image processing apparatuses; Column 4, Lines 50-55.

16: As for Claim 15, Fukumitsu et al teaches on Column 4, Lines 44-49 that the photographing apparatus is capable of causing a printer connected to the network to print out the image data taken by the digital camera.

17: In regards to Claim 16, Fukumitsu et al teaches the use of a photographing apparatus connectable to a network to which several image processing apparatuses are connected via cables or by wireless; Column 4, Lines 50-55. Because Fukumitsu et al can transmit images to remote computers on a network it is inherent that it include an interface for connecting the photographing apparatus to a network. The communications line is viewed as a connection that is rather cabled or wireless.

18: As for Claim 17, Official notice is taken that it was commonly know in the art at the time the invention was made for computers to include a selecting device such as a mouse for selecting at least one application stored on any one of the plurality of data processing devices, and when one application is selected, the operation unit causes the application to execute. Microsoft's network browsing software allows users to scroll threw programs stored on remote computers by browsing threw the file directory of a remote computer and if double clicked can be executed by a remote computer.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to include network browsing software to allow users to scroll threw

programs stored on remote computers by browsing the file directory of a remote computer and execute the programs in able to allow remote users to share programs.

19: As for Claim 18, Fukumitsu et al teaches the use of a photographing apparatus connectable to a network to which several image processing apparatuses are connected via cables or by wireless; Column 4, Lines 50-55. Fukumitsu et al teaches the processor is a personal computer.

Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to James M Hannett whose telephone number is 703-305-7880. The examiner can normally be reached on 8:00 am to 5:00 pm M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Wendy Garber can be reached on 703-305-4929. The fax phone numbers for the

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organization where this application or proceeding is assigned are 703-872-9314 for regular communications and 703-842-9314 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to customer service whose telephone number is 703-308-6789.

James Hannett
Examiner
Art Unit 2612

JMH
December 22, 2003

A handwritten signature in black ink, appearing to read 'Andrew Christensen', with a long horizontal flourish extending to the right.

ANDREW CHRISTENSEN
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600